

REMARKS

Claims 1-40, 42, 43, 45, 46, 48, 49, 51, and 52 are pending in the application. Claims 1, 12, 13, 15-17, 23-25, 31-34, 40, 42, 43, 46, 48, 49, 51, and 52 were rejected. Claims 2-11, 14, 18-22, 26-30, and 35-39 were objected to. Claims 1, 17, 25, 32, 34, and 40 are being amended. Claims 53-68 are being added. Support for the amended and additional claims is stated below. No new matter is being introduced.

Claim 1 is being amended to recite, "splitting the electrical signal into subbands being at a sampling frequency of less than twice the highest frequency used to encode dialed digits; and at the sampling frequency, analyzing energies within the subbands" Dialed digits are encoded using sinusoids having frequencies up to about 2 kHz (see page 2, tables 1-3 of the specification as originally filed).

Claims 1, 12, 13, 15-17, 23-25, 31-34, 40, 42, 43, 46, 48, 49, 51, and 52 were rejected under 35 U.S.C. 102(b) as being anticipated by Park et al. (U.S. Pat. No. 5,392,348) ("Park"). A circuit in Fig. 1 of Park includes (i) a first decimator (ref. no. 14) that decimates an 8 kHz signal to 4 kHz and (ii) a second decimator (ref. no. 24) that decimates a low channel tone from 4 kHz to 2 kHz. The high channel tone, however, is not decimated a second time and, therefore, has a sampling frequency of 4 kHz. Accordingly, circuitry used to analyze the high frequency tone (ref. nos. 22 and 28) operates at 4 kHz.

Since Park does not disclose every limitation of amended Claim 1 ("sampling frequency of less than twice the highest frequency used to encode dialed digits" and "at the sampling frequency, analyzing energies . . ."), Applicant respectfully submits that Claim 1 should be allowed under 35 U.S.C. 102(b).

Because independent claims 17, 25, 32, 34, and 40 are being amended to include similar limitations, these claims should be allowed under 35 U.S.C. 102(b) for similar reasons.

For at least the same reasons, the rejected dependent claims (Claims 12, 13, 15, 16, 23, 24, 31, 33, 42, 43, 46, 48, 49, 51, and 52) should be allowed for at least the same reasons.

New dependent Claims 53-56 include the limitations of Claims 41, 44, 47, and 50 that were cancelled in an Amendment filed on January 8, 2004. New dependent Claim 57 includes similar limitations as new dependent Claims 53-56. For at least the same reasons as the

independent claims from which claims 53-57 depend, the new dependent claims should be allowed under 35 U.S.C. 102(b).

New Claim 58 includes limitations (“rate change splitting the electrical signal into subbands”) that are not shown or described in the cited references. For example, Parks et al. discloses splitting and decimating the electrical signal in a non-combined manner (see Parks et al., Fig. 1, reference nos. 14, 18, and 24). Accordingly, Applicants respectfully submit Claim 58 should be allowed.

New independent Claim 63 includes similar limitations (“a splitter that separates and decimates an electrical signal into subbands”). New independent Claim 66 also includes similar limitations (“means for rate change splitting the electrical signal into subbands”). Accordingly, Applicant respectfully submits that Claims 63 and 66 should be allowed for the same reason as Claim 58.

Dependent Claims 59-62 depend from Claim 58 and are similar to Claims 2-5, which were allowable in the Office Action at hand. Dependent Claims 64-67 depend from Claim 63 and also include similar claim limitations as Claims 2-5. Accordingly, the dependent claims should be allowed for at least the same reasons as the independent claims from which they depend and for reasons Claim 2-5 are allowable.

CONCLUSION

In view of the above amendments and remarks, it is believed that all now pending claims (Claims 1-40, 42, 43, 45, 46, 48, 49, and 51-68) are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Mark B Solomon
Mark B. Solomon

Registration No. 44,348

Telephone: (978) 341-0036

Facsimile: (978) 341-0136

Concord, MA 01742-9133

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